

Bristol-Myers Squibb Company
Patent Department

FACSIMILE TRANSMITTAL SHEET

DATE: July 14, 2004
TO: Office of Petitions
FACSIMILE NO.: (703) 305-4257
FROM: John M. Kilcoyne
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Convatec
Number of Pages: 13 (including cover sheet)

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If you do not receive a complete fax, please contact Maria Zulla.
Telephone: (908) 904-2369.

COMMENTS: Request for Status of Application
Docket Number: Docket No. CV-0275 / Serial No. 09/719,183

We have not received a reply to our Petition mailed May 24, 2002, to withdraw a Notice of Abandonment. We attach a copy of this Petition including a copy of the stamped, returned postcard and a copy of the Amendment in response to the Office Action mailed by the USPTO on August 31, 2001.

CONFIDENTIALITY NOTICE – This document is intended only for the person(s) named in the message header. Unless otherwise indicated, it contains information that is confidential, privileged and/or exempt from disclosure under applicable law. If you have received this message in error, please notify the sender of the error and delete the message. Thank you.

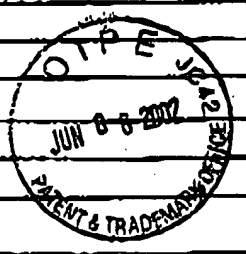
U.S. PATENT & TRADEMARK OFFICE - ACKNOWLEDGEMENT POST CARD				Docket	
Case No. <u>09/719,183</u>		Filed <u>3-16-01</u>		Pat. No. _____	
Inventor(s) <u>Kreiss, et al.</u>		Applicant <u>HEP 1708</u>			
Title <u>Use of a Whirl Dressy in the Treatment, etc.</u>					
Date Received <u>5/24/02</u>					
Form of Delivery		Application		(*)	Applic. Related
<input checked="" type="checkbox"/> COM. Signed By: <u>SCS</u>	Examiner Number	Class Type			Description (1.63)
<input type="checkbox"/> Exp. Mail Cert. Signed By:		Specification Pages	Original U.S.		Assignment, plus Recordation Cover Sheet
<input type="checkbox"/> Exp. Mail #		Claim Pages	Continued Prosecution Appn		Preliminary Amendment
<input type="checkbox"/> By Hand By:		Sheet of Drawings	Provisional		Power of Attorney
<input type="checkbox"/> Payment		Abstract Pages	Design		Notice to Fix Missing Parts
<input type="checkbox"/> Check # _____ for \$ _____		Application Cover Sheet	Application Title Page		Statement for Small Entity Status
<input type="checkbox"/> Add. to Charge Dep. Ass. No. _____		Sequence Listing Pages			Certificate of Manner Name Change, plus Recordation Cover Sheet
<input type="checkbox"/> <u>S.C.S.</u>	(*)	Order	(*)	Order (Continued)	(*)
<input type="checkbox"/> Fee Form		Terminal Disclaimer	Letter to USPTO		Transmitted Letter
(*)	Amend. Exam. Related	(*)	Appeals		IDS (1.56)
	After Rejection (1.111)		Notice of Appeal		Letter Fee
	After Final Rejection (1.116)		Appeal Brief		Claim Fee Foreign Priority
	After Allowance (1.312)		Reply Brief		Fee Calculation Sheet
	Supplemental		Petition to Withdraw		Admission of Postcard
	Voluntary Preliminary		Request		
	During Conversion		Extension of Time (1.136(a))		
	Dedication		Correct Filing Receipt		
	Supplemental Dedication		Certificate of Correction (Form PTO-1052)		

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JUN 10 2002

S.C.S.

Request Under 1.8b



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CV-0275

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#9

In re Application of

Kreis et al.

Serial No.: 09/719,183

For: Use of a Wound Dressing in the

Treatment of Acute Wounds

Examiner: Sheikh, Humera N.

Group Art Unit: 1615

Attn: Group Art Director

Commissioner for Patents

Office of Petitions

Washington, DC 20231

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**Request Under Rule 1.8(b) For Recognition of Timely Filing
of Response to August 31, 2001 Office Action, And Therefore Withdrawal
of Notice of Abandonment**

Sir:

The Office issued a Notice of Abandonment dated April 10, 2002, alleging failure to respond to the August 31, 2001 Office Action. This paper presents the showing required under 37 CFR §18(b) to have Applicant's filing in response to the Office Action recognized as timely. Applicant requests that the Notice of Abandonment be withdrawn. The requirements of Rule 1.8(b) are met as follows:

- (1) This paper, in view of coordination needed between Applicant's internal and external patent counsel provides timely notice to the Office that a response to the Office Action was in fact timely filed November 21, 2001 under my certificate of mailing.
- (2) Attached is the required copy of the timely filing in response to the Office Action.
- (3) Personal knowledge on the mailing of the response is as follows: The certificate of mailing carries what I recognize to be my signature. On signing such a certificate, I would have delivered the paper for mailing to my secretary, June Robinson. Ms. Robinson, by signing in the space provided, attests that she was at work November 29, 2001, and would have on receipt of the paper delivered the same in an envelope addressed to Commissioner of Patents, Washington, D.C., 20231 to a well-established mail system within this well-established law firm (currently having in excess of 700 attorneys). This mail system reliably delivers such mail to the US Postal Service.


By: June Robinson


The above listed papers meet, it is respectfully submitted, the regulatory requirements to establish the timely filing of a response. The undersigned understands that the Examiner places some significance on a call placed to Theodore Furman, Esq. in which he was not immediately aware of the status of the file. Applicant respectfully submits that this has no significance under the regulations.

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CV-0275
09/719,183

If there are any additional fees due in connection with this response, they should be charged to Deposit Account No. 04-0480. Any overpayment or refund should be credited to Deposit Account No. 04-0480.

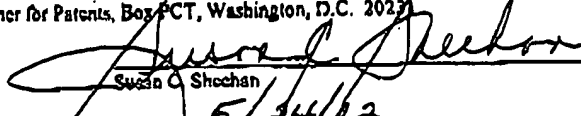
Respectfully submitted,


Teresa O. Bittenbender
Registration No. 47,425
Attorney for Applicant

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being caused to be deposited on the date shown below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box PCT, Washington, D.C. 20271


Susan C. Sheehan
5/24/02
Date

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